



PRELIMINARY DRAFT
No. 3471

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2006 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 3-10-2-13; IC 36-6-4-2; IC 36-6-5-1.

Synopsis: Township trustee and assessor term of office. Reduces the term of office of township trustees and township assessors for townships in Marion County from four years to two years. Provides that an individual who was elected to either of these offices before January 1, 2006, is permitted to serve through the end of the current term of office.

Effective: Upon passage; July 1, 2006.



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 3-10-2-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 13. (a) The following public officials shall be elected at the general election before their terms of office expire and every four (4) years thereafter:

- (1) Clerk of the circuit court.
- (2) County auditor.
- (3) County recorder.
- (4) County treasurer.
- (5) County sheriff.
- (6) County coroner.
- (7) County surveyor.
- (8) County assessor.
- (9) County commissioner.
- (10) County council member.
- (11) Township trustee, **except as provided in subsection (b).**
- (12) Township board member.
- (13) Township assessor, **except as provided in subsection (b).**
- (14) Judge of a small claims court.
- (15) Constable of a small claims court.

(b) This subsection applies to a county containing a consolidated city. The following public officials in the county shall be elected at the general election before their terms of office expire and every two (2) years thereafter:

- (1) Township trustee.**
- (2) Township assessor.**

SECTION 2. IC 36-6-4-2, AS AMENDED BY P.L.88-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) A township trustee shall be elected under IC 3-10-2-13 by the voters of each township. The trustee is the township executive.

(b) The township trustee must reside within the township as



provided in Article 6, Section 6 of the Constitution of the State of Indiana. The trustee forfeits office if the trustee ceases to be a resident of the township.

(c) The term of office of a township trustee is **the following:**

(1) For a township trustee of a township in a county containing a consolidated city, two (2) years, beginning January 1 after election and continuing until a successor is elected and qualified.

(2) For a township trustee not described in subdivision (1), four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified.

SECTION 3. IC 36-6-5-1, AS AMENDED BY P.L.240-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) A township assessor shall be elected under IC 3-10-2-13 by the voters of each township having:

(1) a population of more than eight thousand (8,000); or

(2) an elected township assessor or the authority to elect a township assessor before January 1, 1979.

(b) A township assessor shall be elected under IC 3-10-2-14 in each township having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if the legislative body of the township:

(1) by resolution, declares that the office of township assessor is necessary; and

(2) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2.

(c) A township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(e) The term of office of a township assessor is **the following:**

(1) For a township assessor of a township in a county containing a consolidated city, two (2) years, beginning January 1 after election and continuing until a successor is elected and qualified.

(2) For a township assessor not described in subdivision (1), four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no other township officer is elected ends on December 31 after the next election in which any other township officer is elected.



1 SECTION 4. [EFFECTIVE UPON PASSAGE] (a)
2 Notwithstanding IC 3-10-2-13 and IC 36-6-4-2, both as amended by
3 this act, an individual elected as a township trustee before January
4 1, 2006, for a township located in a county containing a
5 consolidated city, may serve the term of office to which the
6 individual was elected as a township trustee before January 1,
7 2006. The successor of such a township trustee:

8 (1) shall be elected at the general election held immediately
9 before the term of office of that township trustee is scheduled
10 to expire; and

11 (2) may serve the term of office as a township trustee
12 described in IC 3-10-2-13 and IC 36-6-4-2, both as amended
13 by this act.

14 (b) Notwithstanding IC 3-10-2-13 and IC 36-6-5-1, both as
15 amended by this act, an individual elected as a township assessor
16 before January 1, 2006, for a township located in a county
17 containing a consolidated city, may serve the term of office to
18 which the individual was elected as a township assessor before
19 January 1, 2006. The successor of such a township assessor:

20 (1) shall be elected at the general election held immediately
21 before the term of office of that township assessor is scheduled
22 to expire; and

23 (2) may serve the term of office as a township assessor
24 described in IC 3-10-2-13 and IC 36-6-5-1, both as amended
25 by this act.

26 (c) This SECTION expires January 1, 2011.

27 SECTION 5. An emergency is declared for this act.

